BAY CITY
BRIDGE
PARTNERS

September 5, 2024
Ms. Marlene H. Dortch
Secretary
Federal Communications Commission
45 L Street NE Washington, DC 20054
RE: WT Docket No. 24-240

Dear Ms. Dortch,

Bay City Bridge Partners, LLC submits the following comments in response to the Federal Communications Commission's (FCC) public notice seeking comment on the Petition for Rulemaking of NextNav, Inc. to reconfigure the 902-928 MHz band (also referred to as the "Lower 900 MHz Band").

Bay City Bridge Partners, LLC, a subsidiary of United Bridge Partners (UBP), is a private toll facility that operates within the Intra-Agency Group tolling network, also known as E-ZPass.

NextNav seeks to restructure the lower 900 – 928 MHz frequencies for their commercial purposes, without fully ascertaining the negative impact to the current base of systems and operators using the lower 900 MHz band. The current radio frequencies Bay City Bridge Partners, LLC (WRVP490) is licensed to use, fall within the range requested by NextNav's petition for Rulemaking and there is no option to deviate away from what we use today. Additionally, within the proposed re-organization of the frequencies, there is no regard for frequency separation with a "guard" band to ensure that there is no crossover or minimal interference from the proposed frequency restructuring. Passage of the proposed petition for restructuring will cause a negative impact to most if not all electronic tolling systems in the continental United States today. There also exists other industries that rely on the lower 900 MHz band for other lines of business applications that will also be impacted.

Although NextNav's petition states that this is in the interest of public safety, it does not fully consider the impact to existing government and private toll operators that rely on these frequencies for processing tolls electronically as well as other industries using the unlicensed spectrum within that range. Additionally, the end users, the millions of drivers who utilize Open Road and Electronic Tolling, would be negatively impacted by the interference that the proposed system(s) will generate. The Dedicated Short-Range Communications (DSRC) used by Bay City Bridge Partners, LLC and other agencies would be impacted by the proposed re-organization of the spectrum.

NextNav's petition states that they intend to create a terrestrial "Positioning, Navigation and Timing system". Although NextNav states that the proposed system should be considered for public safety, they cannot substantiate the negative impact to current systems in place by Toll operators nationwide. Their proposed solution will force current tolling systems in place nationwide to accept interference that will disrupt electronic toll collection. In a statement made in 1995 by then Commissioner Susan Ness for use of the band; "*make permanent* *spectrum available for electronic tag readers, which are devices that can eliminate the need to stop for toll collection on highways and bridges, and thereby measurably facilitate the flow of traffic*"[1]. Since 1995, tolling in the United States has grown and evolved into a expanded and interoperable system benefiting the driving public in term of reduced traffic, emissions and time saved. Passage of NextNav's petition would negatively affect toll operators, patrons of toll roads who rely on electronic tolling and other peripheral systems.

In meetings held with NextNav and the International Bridge, Tunnel and Turnpike Association (IBTTA)/E-ZPass Group, they referenced that interference would be minimal but would not elaborate on how they arrived at that conclusion. NextNav did not produce or reference any independent testing to corroborate or substantiate their claims. The proposed systems will introduce interference that current tolling systems in place today must be forced to accept. Additionally in some cases altering the current systems in place to utilize a different frequency may not be possible due to system/hardware limitations. This translates to a loss of data transmissions between vehicle tags in patron vehicles and readers at tolling locations not just at our facility, but most if not all tolling facilities throughout the continental United States.

It is Bay City Bridge Partners, LLC's position that this request is detrimental to our line of business, which is Electronic Toll Collection as a member of the E-ZPass Group.

Bay City Bridge Partners, LLC. opposes the petition as it will disrupt our ability to collect and process E-ZPass transactions electronically. Our current facilities utilize FCC licensed frequencies between 902 -919 MHz, which are within the scope of NextNav's petition.

Bay City Bridge Partners, LLC opposes the passage of the petition for rulemaking and respectfully requests that NextNav's petition be denied.

Thank you for your time and consideration in this matter.

Sincerely,

Ed Vargas

Ed Vargas
Senior Project Manager, Toll System Operations
United Bridge Partners

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[1] Feb. 3, 1995 (fcc.gov)